



2026:AHC:61776

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 8320 of 2026

Rohit Sonkar

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Nitesh Kumar Singh, Rabindra Tiwari
Counsel for Opposite Party(s) : G.A.

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Heard learned counsel for the applicant, Sri Anupam Anand, learned Brief Holder for the State and perused the record.
2. The present bail application has been filed with a prayer to enlarge the applicant on bail in Case Crime No. 5 of 2026, under Sections 191(2), 126(2), 131, 115(2), 352, 351(2), 105 B.N.S., Police Station- Lalpur Pandeypur, District- Varanasi during pendency of the trial.
3. Counsel for the applicant submits that the applicant has been falsely implicated in the present case. The incident is alleged to have occurred on 4.1.2026. The first information report was lodged on 5.1.2026. As per the first information report, the wife of the informant was seriously ill. The informant was taking her for medical treatment. On the way, some persons had illegally encroached upon the road by placing carts (thela/sagdi), thereby blocking the passage. The informant requested to remove the obstructions as his wife was unwell. However, the applicants along with three others become aggressive. They started abusing the informant in filthy language and pushed him. Thereafter, they assaulted the informant with kicks and fists. On hearing the noise, his wife came out of the house and tried to intervene. At that time, the applicant along with four accused and an unknown person started beating the wife of the informant with kicks and fists, particularly, hitting her on the abdomen. Due to this, she sustained serious internal injuries and started bleeding. The wife of the informant was taken to the hospital in a serious condition. It is contended that the wife of

the informant subsequently died on the same day. As per the postmortem report, the doctor recorded two injuries. Injury no.1:- *Surgical laparotomy wound with blacked sutures in-situ, measuring 21 cm, vertically placed, present over the front of abdomen in the midline, upper and situated at the level of umbilicus and lower and at the pubic symphysis. On exploration, multiple black suture was present at the rectum of colon (suggestive of rectum repair was done) Multiple black suture was present lower uterus and about 5 cm of cervical region was present (suggestive of Hysterectomy done) Contusion was present at the left side of lower region of peritoneum layers.* Injury No.2:- *Stitched wound, measuring 5 cm x 3.5 cm, present over the right side of front of abdomen, situated 9 cm outer of midline and 4 cm above the anterior superior iliac spine (suggestive of iliostomy).* It is next contended that the medical version does not corroborates the prosecution case. As per the opinion of the doctor, cause of death would be given after receipt of viscera report. The viscera report is not a part of the case diary. Identically placed co-accused Raja Sonkar and Pramod Sonkar have been granted bail by this Court vide order dated 25.3.2026 passed in Criminal Misc. Bail Application No. 6912 of 2026 (Raja Sonkar and another vs. State of U.P.). The applicant claims parity. The applicant is in jail since 19.1.2026 having no criminal history. In case he is enlarged on bail, he will not misuse the said liberty.

4. Learned A.G.A. for the State opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

5. Having heard counsel for the parties and having perused the record, this Court prima facie finds that the medical version does not corroborates the prosecution case. As per the opinion of the doctor, cause of death would be given after receipt of viscera report. The viscera report is not a part of the case diary. The applicant has no criminal antecedents. Further, the applicant has presently remained confined for more than two months and there is no hope of early conclusion of trial, more so when no reasonable apprehension has been brought to the fore by the State that the applicants, if enlarged on bail, would either tamper with the evidence or intimidate the witness, without commenting on the merits of the case, I am of the opinion that the applicants are entitled to be enlarged on bail.

6. Let the applicant Rohit Sonkar involved in the aforesaid case be released on bail on his furnishing a personal bond and two sureties each of the like amount to the satisfaction of court concerned on the following conditions that:

- i. the applicant shall not tamper with the prosecution evidence;
- ii. the applicant shall not pressurize the prosecution witness;
- iii. the applicant shall appear on each and every date fixed by the trial court.

7. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

(Vivek Varma,J.)

March 25, 2026
S.S.